



Durham City-County Planning Department

APPLICATION FOR APPEAL

(A Pre-submittal conference is not required prior to submission)

Tracking Information (Staff Only)

Case Number:	Date/Time rec'd:	Rec'd by:
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About this Application

ONLY COMPLETE APPLICATIONS CAN BE ACCEPTED

Appeal applications are heard by the Board of Adjustment as a quasi-judicial public hearing.

An "Appeal of an Administrative Decision" is permitted in accordance of Section 3.16, and an "Appeal of an interpretation of Zone Boundaries" is permitted in accordance with Section 4.1.4, of the Unified Development Ordinance (UDO).

Action by the Board of Adjustment (Section 3.16.6A of the UDO): The Board of Adjustment may reverse or affirm (wholly or partly) or may modify the order, requirement, decision, or determination appealed from and shall make any order, requirement, decision or determination that in its opinion ought to be made in the case before it. To this end, the Board of Adjustment shall have all the powers of the official from whom the appeal is taken.

Submittal: Complete applications are due within 30 days of receipt of the decision and will be reviewed for sufficiency.

A complete application includes:

- **Application form (this packet):** Address the questions carefully and completely. Signatures must be original.
- **Fee:** \$695, payable to City of Durham if by check. A receipt will be provided.
- **Supplemental material, as applicable:** Written Order or decision being appealed, copy of violation, site plan or plot plan, other documents.

Attendance at the hearing is required. Applicants may represent themselves may be represented by someone appropriate for quasi-judicial public hearings. The public hearing will allow the applicant, proponents, opponents and anyone else the opportunity to speak and ask questions in regards to the request.

Appeal of the Board of Adjustment action may be taken by filing a petition for *certiorari* with the Durham County Superior Court, typically within 30 days of the decision.

If you have any questions, please contact the City-County Planning Department at 560-4137 between 8:00 a.m. and 5:00 p.m. on weekdays.

Applicant

Name: _____

Contact Person: _____

Telephone: _____

Address: _____

Fax: _____

City/State/ZIP: _____

Email: _____

I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature

Date

FOR APPEALS: Complete and respond to the following in the space provided, or with an attachment (suggested):

I, _____, wish to appeal the following decision by

(Administrative official)

The ruling was based on the following Ordinance provisions: _____

A copy of the written decision/interpretation is attached. This ruling was made with respect to the property at _____, PIN or PID: _____.

Summarized below, and on other sheets as necessary (attached), is my rationale for arguing that the administrative ruling is an improper or erroneous interpretation of the Ordinance:

FOR APPEALS of Zoning Boundary Interpretations: Complete and respond to the following in the space provided, or with an attachment (suggested):

I, _____, do hereby appeal to the Durham Board of Adjustment the interpretation of the zoning district boundary at a location generally described as:

Section 4.1.4B states the methods of interpreting zoning boundaries that do not follow lot lines.

Explain how your circumstances are not covered by Section 4.1.4B.

OR explain how physical or cultural features existing on the ground vary with those shown on the Official Zoning Map.
